

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDREW FULLMAN,	:	CIVIL ACTION
	:	NO. 17-2673
Plaintiff	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this **5th** day of **May, 2023**, upon consideration of Defendant Bonner's Motion for Summary Judgment (ECF No. 49) and Defendants the City of Philadelphia and Ross's Motion for Summary Judgment (ECF No. 50), and considering any responses thereto, it is hereby **ORDERED** that both motions for summary judgment (ECF Nos. 49 & 50) are **GRANTED**. It is further **ORDERED** that after considering Plaintiff's Motion to Join Parties (ECF No. 86) and Motion to Add Amended Discovery (ECF No. 87), and any responses thereto, Plaintiff's motions (ECF Nos. 86 & 87) are **DENIED**. Plaintiff's Motion to Appoint Counsel (ECF No. 88) is **DENIED as moot**. The matter is **DISMISSED WITH PREJUDICE**.¹ The Clerk of Court is directed to **CLOSE** this case.

¹ Plaintiff has recently filed an amended complaint. See Am. Compl., ECF No. 96. The Court will not strike the Amended Complaint. See Fed. R. Civ. P. 12(f). First, Plaintiff did not seek and was not granted leave of Court pursuant to Federal Rule of Civil Procedure 15(a). Second, the claims alleged in the Amended Complaint do not relate to the instant case and name different defendants. The Court notes that the claims in the Amended Complaint were brought in Plaintiff's original Complaint and dismissed by the Court without prejudice, with instructions to file a new civil action in the event his 1986 conviction was invalidated. See July 31, 2017 Order, ECF No. 3. To the extent

AND IT IS SO ORDERED.

Eduardo C. Robreno

EDUARDO C. ROBRENO, J.

that Plaintiff has a claim, he can bring another lawsuit, as originally instructed.